

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1197 be amended to read as follows:

- 1 Page 1, line 3, strike "under the following:" and insert "**involving the**
- 2 **following offenses where the victim is a protected person under**
- 3 **subsection (c)(1) or (c)(2):**".
- 4 Page 1, line 5, reset in roman "upon a child (IC 35-42-2-1(2)(B))."
- 5 Page 1, line 5, delete "(IC 35-42-2-1)".
- 6 Page 1, line 7, delete "Theft (IC 35-43-4-2)".
- 7 Page 1, delete line 8.
- 8 Page 1, line 9, delete "(6)".
- 9 Page 1, run in lines 7 through 9.
- 10 Page 1, line 10, reset in roman "(5)".
- 11 Page 1, line 10, delete "(7)".
- 12 Page 1, line 11, reset in roman "(6)".
- 13 Page 1, line 11, delete "(8) Exploitation of a dependent or endangered
- 14 adult".
- 15 Page 1, delete lines 12 through 13.
- 16 Page 1, line 14, delete "(10)".
- 17 Page 1, run in lines 11 through 14.
- 18 Page 1, line 15, reset in roman "(5)".
- 19 Page 1, line 15, delete "(9)".
- 20 Page 1, between lines 15 and 16, begin a new paragraph and insert:
- 21 "(b) **This section applies to a criminal action involving the**
- 22 **following offenses where the victim is a protected person under**
- 23 **subsection (c)(3):**

(1) Exploitation of a dependent or endangered adult (IC 35-46-1-12).

(2) A sex crime (IC 35-42-4).

(3) Battery (IC 35-42-2-1).

(4) Kidnapping, confinement, or interference with custody (IC 35-42-3).

(5) Home improvement fraud (IC 35-42-6).

(6) Fraud (IC 35-43-5).

(7) Identity deception (IC 35-43-5-3.5).

(8) Theft (IC 35-43-4-2).

(9) Conversion (IC 35-43-4-3).

(10) Neglect of a dependent (IC 35-46-1-4)."

Page 1, line 16, delete "(b)" and insert "(c)".

Page 2, line 12, reset in roman ";".

Page 2, line 13, delete "at least sixty-five (65) years of age." and insert **"who is**

(1) at least eighteen (18) years of age; and

(2) incapable by reason of mental illness, mental retardation, dementia, or other physical or mental incapacity of:

(A) managing or directing the management of the individual's property; or

(B) providing or directing the provision of self-care."

Page 2, line 14, strike "(c)" and insert **"(d)"**.

Page 2, line 18, after "(a)" insert **"or (b)"**.

Page 2, line 22, after "(a)" insert **"or (b)"**.

Page 2, line 22, strike "(d)" and insert **"(e)"**.

Page 2, line 23, strike "(d)" and insert **"(e)"**.

Page 2, line 23, strike "(c)" and insert **"(d)"**.

Page 2, line 24, after "(a)" insert **"or (b)"**.

Page 3, line 5, strike "(e)" and insert **"(f)"**.

Page 3, line 6, strike "(d)(2)(B)," and insert **"(e)(2)(B),"**.

Page 3, line 9, strike "(d)(1);" and insert **"(e)(1);"** .

Page 3, line 11, strike "(f)" and insert **"(g)"**.

Page 3, line 17, strike "(g)" and insert **"(h)"**.

Page 3, after line 27, begin a new paragraph and insert:

"(i) If a statement or videotape described in subsection (d) is admitted into evidence under this section, a defendant may introduce a:

- 1 **(1) transcript; or**
- 2 **(2) videotape;**
- 3 **of the hearing held under subsection (e)(1) into evidence at trial."**
 (Reference is to HB 1197 as printed January 23, 2004.)

Representative Van Haften